UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,060	12/06/2001	Dwip N. Banerjee	AUS920010868US1	8981

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Mr. Volet Emile
P.O. Box 202170
Austin, TX 78720-2170

EXAMINER
TRAN, NGHI V

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/006,060	BANERJEE ET AL.
	Examiner	Art Unit
	Nghi V Tran	2151

-- The MAILING DATE f this communication appears on the c ver sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 December 2001</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☒ Claim(s) *1-2, 6-7, 11-12, and 16-17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities: In the co-pending applications reference in the specification, the Application fails to disclose the US Application serial number. The Examiner suggests the Applicants to update this section by including US Application serial number, filling date, and the current status of the applications.

Appropriate correction is required.

2.   The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

3.   Claims 1-2, 6-7, 11-12, and 16-17 are objected to because of the following informalities:

Taking claim 1 as an exemplary claim, the Applicants wrote, "A method of generating an XML" (emphasis added) is understood to refer to --A method of generating an XML (eXtensible Markup Language)--. Appropriate correction is required.

4.   Claims 2, 6-7, 11-12, and 16-17 are also objected for the same reason set forth in claim 1 above.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

W3C, "XTND-XML Transition Network Definition" (hereinafter XTND), in view of

Yepishin et al., U.S. Patent Application Publication Number 2003/0120762 (hereinafter

Yepishin).

7.   Taking claim 1 as an exemplary claim, XTND teaches a method of generating an

XML schema to validate an XML document representing network packet exchanges

comprising the steps of: identifying transition states of the network packet exchanges

being investigated (see abstract and pages 10-16); and generating an XML DTD based

on the transition states.

        However, XTND fails to teach generating, based on the transition states, the

XML schema.

        In a method of generating an XML schema, Yepishin discloses generating the

XML schema based on the transition states (page 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify XTND in view of Yepishin by generating the XML schema based on the transition states because XML schema can be decomposed into separated files making maintenance easier. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated to modify XTND in view of Yepishin in order to avoid wasting time analyzing the document.

8.   Claims 6, 11, and 16 are also rejected for the same reason set forth in claim 1 above.

9.   Taking claim 2 as an exemplary claim, XTND further teaches each transition state is represented by an XML element (page 13 of 22).

10.   Claims 7, 12, and 17 are also rejected for the same reason set forth in claim 2 above.

11.   Taking claim 3 as an exemplary claim, XTND further teaches each element is defined (page 13 of 22).

12.   Claims 8, 13, and 18 are also rejected for the same reason set forth in claim 3 above.

13.   Taking claim 4 as an exemplary claim, XTND further teaches all elements in the
schema are in a particular sequence (page 16 of 22).

14.   Claims 9, 14, and 19 are also rejected for the same reason set forth in claim 4
above.

15.   Taking claim 5 as an exemplary claim, XTND further teaches the sequence is the
sequence of the transition states of the packet exchanges (see abstract and page 16 of
22 i.e. "ATM control flows, editorial review processes, and definitions of protocol
states").

16.   Claims 10, 15, and 20 are also rejected for the same reason set forth in claim 5
above.

Conclusion

17.   The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure.

        a.   "Method and apparatus for end-to-end content publishing system using
XML with an object dependency graph" by Davis et al., U.S. Patent Application
Publication Number 2002/0133516.

        b.   "Command line interface abstraction engine," by Little et al., U.S. Patent
Application Publication Number 2003/0048287.

      c.   "<u>Defining a markup language representation for state chart data</u>," by Boughannam, U.S. Patent Application Publication Number 2003/0014439.

      d.   "<u>Method and apparatus of data exchange using runtime code generator and translator</u>," by Kuznetsov, U.S. Patent Application Publication Number 2001/0056504.

      e.   "<u>Methods and systems for direct execution of XML documents</u>," U.S. Patent Application Publication Number 2002/011965.

      f.   "<u>System and method for programmatically generating a graphical program in response to a state diagram</u>," U.S. Patent Application Publication Number 2002/0083413.

18.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

<i>J</i>

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Nghi V Tran
Patent Examiner
Art Unit 2151

NT

ZARNI MAUNG
SUPERVISORY PATENT EXAMINER